86-1356

NUMBER A-427

IN THE
SUPREME COURT OF THE UNITED STATES

October Term, 1986

JEFFREY GUY LEA,

Petitioner;

versus

JUDGE JOSEPH N. MYERS,
MARION COUNTY MUNICIPAL COURT, et al,

Respondents.

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Jeffrey Guy Lea, Propria Persona
LEA Enterprises and Associates
P. O. Box 19 (TELE: 317-841-9023)
Fishers, Indiana 46038

QUESTIONS PRESENTED FOR REVIEW

1. Did a "default judgement" or ANY real judgement, or, some constitutionally acceptable judgement actually occur in Marion Municipal No. 1, or was the "judgement" actually a fraudulent conveyance, such constituting a CLEAR deprivation of the Defendant's civil and constitutional right to "due process of law" and RIGHT TO TRIAL, not simply a "denial" of the state or the local laws?

2. Can some court and judge therein, who's authority and jurisdiction is initally questioned by a party thereto, particularly if such is by the Defendant who did purposely make Special Appearance in propria persona to deny jurisdiction to that court, can that court then proceed to ignore the party's request for proper authority and jurisdiction, and, either "default judgement" or "oppressively dismiss" the complaint and/or all motions for proper venue and lawful actions attempted therein because the party is not represented by a counsel of the American Bar Association, but is in propria persona, and would not such be a CLEAR Constitutional DEPRIVATION, not merely a "deprivation of state and/or local law(s)"?

3. Can a judge, without specifically agreed jurisdiction, without proper authority and of jurisdiction unquestioned, be allowed to enter a "judgement" against the party bringing the challange, then, in conspiracy with counsel of the opposition, purposely deny the party opportunity to trial, hearing, and further due process of law upon the complaint filed by "overruling" all motions, petitions, pleas, and attempted appeals therein purposely "fixing" his/her personal "judgement" to the complaint, can such be allowed in this country, "under color of law" of our beloved Constitution, NOT merely state or local laws, with IMPUNITY and/or REWARD to all those co-conspirators of such grave deprivation?

4. Does ANY court have the authority and jurisdiction to DENY TRIAL and "convict" an "innocent" citizen of civil charges that he has NOT BEEN ALLOWED TO DEFEND?

5. And if such CAN BE SHOWN to be TRUE, as it has and CAN BE in the instant case, can not the Petitioner obtain Writ of Certiorari to proceed with his complaint lawfully brought under Title 42, 1983, and the applicable sections of 1985/1986-<u>there being no judicial immunity</u>?

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CAUSE NO. A-427

IN THE
SUPREME COURT OF THE UNITED STATES

LEA ENTERPRISES & ASSOCIATES,
JEFFREY GUY LEA,

Plaintiffs-Petitioners,

vs.

JUDGE JOSEPH N. MYERS,
BERNARD J. GOHMANN, JR.,
MARION COUNTY MUNICIPAL COURT;
J. GREGORY GARRISON,
CHRISTOPHER L. GARRISON,
MICHAEL A. KIEFER,
GARRISON & KIEFER ATTORNEYS;
RCA EMPLOYEES CREDIT UNION,

Defendants-Respondents.

PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

The petitioners, Jeffrey Guy Lea, and LEA Enterprises & Associates (Mr. Lea's sole propriatorship in and of the State of Indiana) do respectfully pray for a Writ of Certiorari issue to review the judgement and opinion of the United States Court of Appeals for the Seventh Circuit, entered against them on July 23, 1986.

OPINIONS BELOW

1. Lea vs. Myers, et al., No. 86-1191 (Seventh Circuit Court of Appeals, judgement on July 23, 1986; rehearing, with suggestion for rehearing in banc was denied September 5, 1986). See Appendix for text.

2. Lea vs. Myers, et al., No. IP85-1304C (U. S. District Court for the Southern District of Indiana, Indianapolis Division, Judgement & Opinion supposedly rendered January 9, 1986, but actually such did occur thereon on about January 27, 1986; vol. 32, page 9). See Appendix for text of "opinion"/"judgement".

JURISDICTIONAL STATEMENT

Jurisdiction to review the judgement of the United States Seventh Circuit Court of Appeals, in this case dated July 23, 1986 and rehearing with suggested rehearing in banc, denied on September 5, 1986, and entered same date, is conferred upon this Honorable Court by 28 U.S.C. Section 1254(1). An application to extend time to file the Petition for Writ of Certiorari was granted on December 5, 1986, thus extending time for petitioning until, and including January 3, 1987.

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED IN CASE

As set out in the original action, the case arises from prima facie violations of the U. S. Constitution, Article IV Sec.2-3, Amendments 1,4,5,6,7,8,9,10 and 14.

PROVISIONS & STATUTES (cont.)

The federal suit IP85-1304C was appropriately filed under Title 42 USC. 1983, 1985, & 1986 because LITERALLY ALL attempts to obtain TRIAL and proper "due process of law" in the Municipal Court No. 1 were met with "contempt warrants", and many motions and documents for filing were summarily returned to Mr. Lea, with notation "REFUSED".

It is NOT WITHIN THE JURISDICTION of a CIRCUIT JUDGE to SELECT how a defendant CHOOSES to defend a COMPLAINT, or HOW a plaintiff similarly proceeds in a matter pending.

The federal district courts have clear jurisdiction under Title 28, sections 1331-1343 to RESOLVE THIS CASE.

In addition to the clear Constitutional violations this case also involves violations and misconceptions concerning proper and lawful responsibilities when a "special appearance" is initially filed in some court.

This suit is believed to be UNIQUE. It does literally contrast the BASIS of all law, the Magna Charta, and the 6th & 7th Amendment guaranteed RIGHT TO TRIAL of accused, with the "doctrine of judicial immunity". It specifically refers to Article VI, sections 2-3, of "the supreme Law", "any Thing..of any State to the Contrary notwithstanding".

STATEMENT OF THE CASE

a/ Facts From the Original Case

The following facts are distilled from the relevant facts, events, and factual circumstances leading up to the filing of federal lawsuit in Indianapolis District Court.

During November, 1982, the RCA Employees Credit Union did create more than $2700.00 worth of fraudulent transactions upon Mr. and Mrs. Lea's "Revolving Credit Plan", proof of this fraud can easily been produced by Mr. Lea.

In December, when the RCA Employees C. U. did send a statement demonstrating these fraudulent transactions, Mr. Lea (and Mrs. Lea) did, by certified letter, notify the Credit Union, and their Counsel, after they wished to be also informed, that such fraudulent transactions were being "disputed" in accordance to 15, U.S.C. 1666 (from Chapter 4 of the Consumers Protection Act). The RCA-CU was properly informed that there were "billing errors" on the account therein because of the numerous fraudulent transactions, and that "amount" of this "billing error" did, in fact, exceed the total credit limit and the due amount that Mr. (and Mrs.) Lea were billed, and, that therefore, they did request the "error" be corrected.

Unfortunately, the RCA Employees Credit Union COULD NOT and DID NOT timely EXPLAIN the fraudulent transactions, nor COULD or DID they supply the documentation which was required pursuant to the Federal law(s) forsaid, Title 15 U.S.C. 1666, to which they were now in flagrant violation.

Mr. Lea made numerous complaints to various State of Indiana agencies concerning the fraudulent transactions, and, the contractual breeching that RCA Employees Credit Union had violated with Mr. (and Mrs. Lea) in the matter.

By approximately March, 1983, ALL LAWFUL TIME LIMITS according to the 15 U.S.C. 1666 laws had run out, meaning that if Mr. Lea HAD "owed" the RCA Employees Credit Union any "amounts disputed", the RCA-CU had LOST its right to pursue any legal recourse to collect such "disputed" sum.

But in May and June of 1983, Mr. and Mrs. Lea were in receipt of numerous legal threats from the Counsel of RCA-CU, Garrison & Kiefer Attorneys. These threats clearly claimed that Mr. and Mrs. Lea supposedly "owed" a concocted $3900+. SEPARATE threats were sent to Mrs. Lea as well as Mr. Lea. Mr. Lea did write back via certified letter, that if the RCA-CU could produce non-fraudulent and LEGAL amount(s) to Mr. Lea, or, if RCA Credit Union

could EXPLAIN the fraudulent entrys made upon Mr./ Mrs. Lea's revolving credit account, then, if amounts were reasonable, and REAL, then Mr./Mrs. Lea, being responsible, law-abiding persons, would have liked to pay any LAWFUL debts--THEY ALWAYS PAY ALL their debts, to date.

But, without ANY ANSWER, or negotiation upon Mr. Lea's many letters to both the RCA-CU and to their Counsel throughout the summer of 1983, and against the foresaid federal law, the RCA-CU did file suit against Mr. Lea in August of 1983. Summons from the Marion County Municipal Court was NOT timely delivered to Mr. Lea by the HAMILTON COUNTY Sheriff (Mr. Lea has NEVER been resident of Marion County, in Indiana) and BOTH of these issues WERE brought before the Marion County Municipal Court, and were quickly IGNORED by the inferior court, such being CLEARLY prejudice since such is in the county of Plaintiff, the RCA-CU.

Mr. Lea made his timely appearance in the Marion Co. Municipal Court No.1 by certified letter. Mr. Lea DID file & make NOTE of his Special Appearance, in propria persona, and did attend a hearing on October 21, 1983 wherein Mr. Lea's Special Appearance was duly noted by the court and the judge, BUT NOT RECORDED. Mr. Lea did represent to the

court and judge therein that the "Complaint on Note" was neither a complaint concerning a "note" nor a "promissary installment note" as was fraudulent posed by the Counsel of the RCA-CU, but it was a complaint concerning a "revolving credit plan/account" which was governed by federal law, 15 U.S.C. 1666, and that the RCA-CU had, in reality, produced a malicious complaint. The State of Indiana does recognize 15 U.S.C. 1666 as BINDING law pursuant to Ind. Code 24-4.5-1-302 (states acceptance). The RCA-CU also misrepresented that the "principal" of the "installment note" was $2500.00 (that is actually the CREDIT LIMIT of the "revolving credit plan" foresaid) plus some "interest due" when the ENTIRE "disputed amount" was actually the complete $2700+ demanded there; **complaint was meritless.**

It should be made perfectly clear that the LAWSUIT, Cause No. M183-1218, DID NOT HAVE A JURISDICTIONAL CLAUSE UPON IT, and Mr. Lea believed that it was NOT LAWFUL.

Mr. Lea did inform the court and the judge, co-defendant in the above suit, of all the above, and of other events/circumstances in that October 21, 1983 hearing, but NO RECORDING was made. Instead of properly dismissing action at that hearing, Judge Myers simply "over-

ruled" all motions, including motion to compel discovery. Mr. Myers was told HE and the court HAD NO JURISDICTION.

Defendant therein, Mr. Lea, did also serve, AT THAT HEARING, before the judge, additional Interrogatories upon the Plaintiff's Counsel. Mr. Lea's motions for dismissal were lawfully based upon Indiana Trial Rule 12B (6). Such require that cause be dismissed if it contains "failure to state a claim upon which relief can be granted", AND such motion is to be treated the same as a motion for summary judgement, meaning that discovery should be required.

Mr. Lea, after his first attempt to have the matter dismissed, did AGAIN, shortly after October 21 hearing, did file a motion to reconsider (the required dismissal) and ANOTHER motion to compel discovery (to obtain admission of fraudulent transactions which caused the suit), and a motion for continuance until answers were sent him.

SIMULTANEOUSLY, these motions were denied when Mr. Lea was sent some "answers" from Plaintiff, RCA-CU. What the Defendant, Mr. Lea, got were OBJECTIONS to his real requests and ERRONEOUS ALLEGATIONS defaming Mr. Lea's good name. Also, Municipal No. 1 now "called trial" to be the day before Thanksgiving, November 23, 1983, but,

such was being scheduled in LESS THAN 7 days from date Mr. Lea received such in the mail, and CLEARLY too short a time to prepare for any real trial. Of course, Mr. Lea filed a motion to strike testimony, ANOTHER motion to compel discovery, and ANOTHER motion for continuance, with a supporting affidavit(s) indicating, among other things that the defendant, Mr. Lea would be OUT of the Indianapolis area, on November 23, 1983, but that he did want to SETTLE the matter IMMEDIATELY upon return.

NO RULINGS WERE EVER OBTAINED UPON those motions and affidavits filed (VERIFIED) on November 21, 1983.

Mr. Lea did NOT receive ANYTHING indicating that some supposed "trial" NOW claimed by the co-defendants, did occur in his absence, especially on Nov. 23, 1983. Mr. Lea did contact the court around January 8th, 1984 when he sent ANOTHER set of specially prepared Interrogatories, purposely filing a copy of those with the court to verify that he was interested in SETTLEMENT.

In February, and Mr. Lea was still WITHOUT any rulings on his last motions filed prior to November 23 1984, so he then filed ANOTHER motion to reconsider the dismissal, and ANOTHER motion to compel discovery.

It should be noted that just prior, in February, Mr. Lea wrote ANOTHER certified letter to Garrison & Kiefer Attorneys posing ANOTHER possible SETTLEMENT.

Then, in March, 1984, Mr. Lea sent to Municipal No. 1 a request for rulings. Then, OUT OF THE BLUE, Mr. Lea receives a postcard from Judge Myers stating that the LAST motions, to reconsider and to compel discovery were "overruled" because on 11-23-83 the court "called a trial" and Mr. Lea "failed to appear" and he was then found to be "defaulted" (apparently because he was "unable to attend" as stated in affidavit Mr. Lea had filed, or because Mr. Lea was really "winning" as his counsel)?

NOW in March, 1984, retroactive to November 23, 1983, Mr. Lea was faced with having a set of Garnishment Interrogatories sent to Ritron, Inc. a client of Mr. Lea and of LEA Enterprises. This was BEFORE any supplimental proceedings were even ATTEMPTED by Municipal 1. Mr. Lea was not in receipt of ANTHING resembling the claimed "default judgement" UNTIL January of 1985, then a copy of the verified FRAUDULENT "default judgement" paper was sent in a demand letter from Garrison & Kiefer to another client of LEA Enterprises & Ass., Electrocon, Inc.. This,

it should be noted, was AGAIN after another attempted appeal of the misrepresented "default judgement" document?

In January and February of 1985, two checks due to LEA Enterprises were actually TOTALLY LEVIED, each was of approximately $1500. This followed Mr. Lea's certified letters, and complaints to a number of State authorities concerning the behavior of Judge Myers and Municipal No.1.

Each and ever attempt made by Mr. Lea to obtain a trial, so that Mr. Lea could produce his counter-complaint and/or obtain proper lawful hearing to dismiss so that he could produce the proof of the correctness of his defenses were LITERALLY met with GARNISHMENT papers and/or WARRANTS being issued claiming "contempt of court"? Mr. Lea was even "thrown into jail" on September 17, 1984 because he was attempting to obtain documents to take the matter to the Indiana Court of Appeals. The illicit "garnishment" papers were sent to almost all clients of LEA Enterprises and Associates, depriving Mr. Lea of virtually ALL local business associates, nearly bankrupting him and his company, LEA Enterprises & Associates. LEA Enterprises and Associates is CERTAINLY a party to this action and does pray with Mr. Lea for its due damages in this cause.

b/ Facts from the Federal Case

The above action commenced September 4, 1985 in U.S. District Court, Southern District of Indiana, in the Indianapolis Division. An "Oath of Fairness" was simultaneously filed and a Demand for Jury Trial was made upon the complaint. Numerious Interrogatories were also filed; such requests were never answered; nor was the complaint.

The Honorable Judge S. Hugh Dillin was not granted any approval or any jurisdiction in the complaint by the Plaintiffs, appearing exclusively "in propria persona". ALL judge(s) of the complaint are/were REQUIRED to take the special "Oath of Fairness". The "Oath of Fairness" is and was a simple re-affimation of a judge's or justice's oath to uphold the Constitution and for that judge to take leave of his Bar, and his/her local attorney-based affiliation or friendships. Mr. Lea is a member of H.A.L.T..

A "memorandum of opinion" and "judgement" were sent to the Plaintiffs on January 27, 1986, such being dated January 9, but not file-marked on that day. This occurred after, on January 17, 1986, Judge Myers filed motion for a requesting a Pretrial Hearing. The Plaintiffs did answer the motion, seconding its movement, on January 21, 1986.

It must be noted that the "judgement" and "memorandum of opinion" were entered, although several motions for summary judgement were filed on both sides, each side desiring a pretrial "hearing" of the matter. But, such "judgement" and "opinion" were entered WITHOUT a SINGLE HEARING, and WITHOUT the JURY TRIAL DEMANDED.

Appeal from the "judgement" was taken on February 5, 1986 to the Seventh Circuit Court of Appeals, Appellants did file (at Court) the Main Brief and Appendix on March 14, 1986. A motion to stay execution of judgment was also filed by Plaintiffs-Appellants on same March 14, because Plaintiffs feared that, similar to what occurred in the state cause, the District Court, having ordered Plaintiffs to pay about $2100, AND DENYING ALL STAYS, would begin to begin to execute upon the "judgement". The motion for the stay was DENIED, but only because "the award for attorneys fees doesn't appear to be final", Judge F. Easterbrook.

Three Briefs of Appellees and two Reply Briefs were timely filed prior to July 23, "Opinion" and "Order", such were also done WITHOUT ORAL ARGUMENT allowed the parties.

There were other motions filed by Plaintiffs-Appellants, and each and every one were DENIED by the Court ?

THE ARGUEMENTS: THE REASONS FOR THE ALLOWANCE OF THE WRIT

The reasons that this The Highest Honorable Court should review the previous opinions are that this case truly involves EXCEPTIONAL ISSUES, like none argued before. If Certiorari is denied, then Mr. Lea shall be saddled with a CONTRIVED "default judgment" from FRAUDULENT civil charges, and he will be denied ALL allowed APPEAL?

1. **There was NO cognitive "default judgement" in the cause M183-1218**, and there was NO FAILURE of Mr. Lea in his attempted defense cut off by the fraudulently conveyed "judgement", which is not Constitutionally based, and which was solely done to grant plaintiffs therein "judgement" without "bother of trial", and to "cut off" Mr. Lea and his defense, thereby depriving Mr. Lea of his Constitutional Right, not merely a state or local right, to defend against unlawful civil charges brought against him.

A "default judgement" is lawfully defined, ONLY as:

> "Default Judgement--A decision in favor of the plaintiff **because the defendant failed to file pleadings in response to the plaintiffs complaint within the the time required by law**".
> Using a Laywer, by H.A.L.T., authors: Adrian Helm and Kay Ostberg referencing Law Library.
>
> "Default--..a failure.",Black's Law Dictionary.

In reviewing the factual circumstances, Petitioners now clearly show that what occurred was the "cutting off" of a lawful defense and TRIAL, such is indeed a VERY SERIOUS Constitutional matter; such bothered Justice Black, note the following from Justice Black's remarks within the "Order of February 28, 1966"; such are as follows:

> "As a further guarantee against oppressive dismissals, I suggest the addition of the following as subdivision (c) of Rule 41.
>
> 'No plaintiffs case shall be dismissed or defendant's right to defend be cut off because of the neglect, misfeasance, malfeasance, or failure of their counsel to obey any order of the court, until and unless such plaintiff or defendant shall have been personally served with notice of their counsel's delinquency, and not then unless the parties themselves do or fail to do something on their own part that can legally justify dismissal of the plaintiff's case or of the defendant's defense.' "
>
> "H.L.B."

The above remarks describe the "grave constitutional questions raised" by "throwing their cases out of court". In the case of Municipal No. 1, there was an attempt to decide the controversy AGAINST Mr. Lea, without first allowing Mr. Lea defense, or counter-complaint to be filed, and truth of controversy to surface, such is SPECIFICALLY FORBID by Article IV, Sections 2-3, and Amendment XIV.

2. Judge Joseph N. Myers and the Marion County Municipal Courts acted in a CLEAR ABSENCE OF JURISDICTION.

a/ The cause brought by the RCA-CU was filed WITHOUT a jurisdictional clause, statement, or summary therein.

b/ The cause was sought in the county of the RCA-CU and NOT in the county of jurisdiction, that of Hamilton County, Indiana, such being the county of the Defendant.

c/ Motions to change venue, venue by judge: IGNORED.

d/ The cause involved FRAUDULENT civil charges. It fraudulently stated that Mr. Lea "owed" upon some "installment note" with a principal of $2500.00 plus interest due and attorney fees. Mr. Lea asked for a dismissal because the civil charge was fraudulent, and he did further obliquely indicated that the real complaint involved a "revolving credit account" under FEDERAL law and that the court had NO JURISDICTION over some federal "billing error correction proceedure", re: 28 USC. 1355.

e/ No court can ASSUME that because a complaint was filed claiming a "debt" or torts to debt, that such WAS the case. And further, NO court may place into evidence that which the opposing party has right to OBJECT, and to question, or strike, if such is indeed NOT VERIFIED.

Mr. Lea did produce evidence that there NEVER WAS a "legal" debt, and because of his being DENIED TRIAL and "due process", to this day, Mr. Lea HAS NOT witnessed any legal debt to which the RCA-CU, nor Municipal No. 1, nor some judge, nor ANYONE could force him to pay, LEGALLY.

Also, if one could argue that Mr. Lea's oblique reference to a "billing error", and such gave some jurisdiction to Municipal No.1, then Petitioner should like to point out that pursuant to State vs. Ducey a "debt" involves the "RIGHT to collection" such not ASSUMABLE in a Title 15, 1666 "procedure to correct billing errors".

f/ No Indiana court has, or can obtain jurisdiction over a "revolving credit plan", if such involves a "disputed amount" or a "billing error" therein pursuant to 15 U.S.C. 1666, Indiana 24-4.5-1-302, the court must dismiss.

g/ No court can assume any jurisdiction to prosecute any complaint on behalf of some plaintiff or complainant. It must, in fact, NOT ASSUME ANYTHING. It must BE SHOWN a verifiable, lawful complaint, and it MUST have CERTAIN jurisdiction to further proceed, or dismiss complaint.

It is CLEARLY not in the jurisdiction of any judge or court to act as the prosecutor against some defendant.

In cause M183-1218, Plaintiffs of the federal case alledge that, among other charges, the Marion Municipal Court proceeded to act as a prosecutor in the malicious prosecution created by Counsel of RCA Employees Credit Union against Mr. Lea, that this was being done by a CONSISTANT pattern of "DENIAL" to each and every one of Mr. Lea's lawful motions, respectfully submitted, and to even the returning of Mr. Lea's mailed motions and documents intended to be filed in that court. Such are CLEARLY not within any jurisdiction over "justiciable matters" as stated in, Lopez vs. Vanderwater, C.A.Ill.1980, 620 F.2d 1229, ect.

3. **A party cannot be constitutionally "convicted" of (a civil or) a criminal charge such that "he was NOT given adequate notice and against which he had no chance to defend.",** State vs. Booker, 385 So.2d 1186 (La.1980). Such is also established in federal laws"[1]. Mr. Lea is raising a substanstial constitutional issue by asserting that he was "convicted" on a fraudulent civil "charge", one which he tried to dismiss, but upon which he was instead "defaulted" upon, that he did NOT "fail to appear", as was asserted by Judge Myers in a postcard, but because

the prejudiced inferior court was looking to "convict" him on some a "trumpted-up" technicality, DENYING trial, and discovery; such being needed to resolve controversy.

> "No principle of procedural due process is more clearly established than (sic) that notice of the specific charge, and a chance to be heard in trial of the issues raised by that charge.....are among the constitutional rights of every accused...."

From Judge Dennis' opinion on rehearing in Booker:

> "It is a violation of due process either to send an accused person to prison following conviction of a charge on which he was never tried or to convict him upon a charge that was never made."

It was finding of the court in Lopez vs. Vanderwater that "acting as a prosecutor" is not within some circuit judge's jurisdiction over justiciable matters. And any "judgement" which would ensue would be unconstitutional. Mr. Lea was denied a right to trial **retroactively** twice.

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*1. Mildwoff v. Cunningham, 432 F.Supp. 814 (D.C. N.Y. 1977); Vasques v. Vaughn, 454 F.Supp. 194 (D.C. Del 1978); Boothe v. Wyrick, 452 F. Supp. 1304 (W.D. Mo. 1978); Williams v. Nix, 528 F. Supp. 664 (S.D. Iw. 1981); Watson v. Jago, 558 F. 2d 330 (6th Cir. 1977); Gray v. Raines, 662 F. 2d 569 (9th Cir. 1982); Tarpley v. Estelle, 703 F. 2d 157 (5th Cir. 1983). **(It is interesting to note that the Ninth Circuit in Gray v. Raines, supra, cited State v. Booker with approval, 662 F.2d at 576, footnote 1. The legal principle of Booker has NEVER been reversed).**

CONCLUSION

In the Federal suit lawfully filed, not only was action taken with "Demand for Jury Trial" and "Oath of Fairness", but numerous Interrogatories and requests for various admissions were made and served with a copy of each complaint and additionally upon other witnesses and, not only were such questions NEVER ANSWERED, but requests for court order(s) to require that court records of the entire controversy, starting with the Indiana Municipal Court, be made part of the record in the District Court, and inseparable therefrom, were NEVER RULED UPON. All subsequent court orders, certified letters, and/or virtually ANY DEMAND made by Mr. Lea to produce records which would VERIFY ALL allegations, have always been ignored.

WHEREFORE, Petitioner prays that he be allowed Certiorari in this Honorable Court, so that he might proceed to obtain justice in JURY TRIAL DEMANDED in the LAWFUL action he was forced to take to obtain justice for all defendants.

In God's name he does herein respectfully pray. Amen.

Respectfully Submitted By,

_____

Jeffrey G. Lea, Propria Persona
LEA Enterprises & Associates

APPENDIX (Revised)

CONTENTS OF APPENDIX

*(RECORD from Marion County Cause No. M183-1218 was NOT GRANTED TO Petitioners at date that the Petition was filed, and therefore cannot be included herein for completeness as hoped.)

Order of Court on Suggestion of Rehearing En Banc

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

LEA ENTERPRISES & ASSOCIATES, JEFFREY GUY LEA, Plaintiffs-Appellants,	)	
vs.	)	Appeal No. 86-1191
JUDGE JOSEPH N. MYERS, et al., MARION COUNTY MUNICIPAL COURT, Defendants-Appellees.	)	

DECIDED: September 5, 1986

Before: R. POSNER, J. COFFEY, J. FLAUM, Circuit Judges.

O R D E R

On consideration of the petition for rehearing and suggestion for rehearing en bank filed in the above entitled cause by plaintiffs-appellants, no judge in active service has requested a vote thereon, and all of the judges on the original panel have voted to deny a rehearing. Accordingly,

IT IS ORDERED that the aforesaid petition for rehearing be, and the same is hereby, DENIED.

Opinion and Judgement of Court Below

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

LEA ENTERPRISES & ASSOCIATES, JEFFREY GUY LEA, Plaintiffs-Appellants,	)	
vs.	)	Appeal No. 86-1191
JUDGE JOSEPH N. MYERS, et al., MARION COUNTY MUNICIPAL COURT, Defendants-Appellees.	)	

DECIDED: July 23, 1986

Before: R. POSNER, J. COFFEY, J. FLAUM, Circuit Judges.

O R D E R

Jeffrey Guy Lea had a default judgement entered against him and in favor of the RCA Employees Credit Union by the Municipal Court of Marion County, Indiana. Lea did not approve of the court's action. Instead of appealing, he decided to make a federal case of his grievances. *1a

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*1a. Point of fact is injected by Petitioners: The above PREMISES are actually in VERIFIED ERR. Petitioners have/can show VERIFIED testimony and documents clearly showing that NO TRIAL OCCURED, and NO lawful DEFAULT could have been recorded. Mr. Lea is/was fully capable as his counsel, why would he file a "grievous" suit; why not appeal? Mr. Lea did NOT approve of inferior court's acts.

He sued Judge Joseph N. Myers, who entered the default judgement, Bernard J. Gohmann, Jr., the Clerk of the Marion County Circuit (interjected: and Municipal) Court, the attorneys who represented the credit union, the credit union itself, and the Marion County (Municipal) Circuit Court. The district court dismissed plaintiff's claims and granted Judge Myer's request for attorney's fees, finding that "this action can only be characterized as frivilious, unreasonable, and groundless." *2a We affirm.

The suit against Judge Myers is clearly barred by the doctrine of judicial immunity. See Stump v. Sparkman, 435 U.S. 349 (1978). Because we agree with the district court that this is a frivilous lawsuit, we grant Judge Myer's request for attorney's fees incurred in defending appeal.

Plaintiff's suit against defendant Gohmann is also meritless. There is no contention that as clerk he did anything but perform his proper duties as a clerk for the court.*3a Similarly, the plaintiff's suit against the

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*2a. If erroneous PREMISES again stated were true, then Mr. Lea would not be petitioning this Court. Mr. Lea filed affidavits: action is NOT FRIVILIOUS.

*3a. Again Seventh Circuit suffers from NO HEARING on the complaint: MANY contentions do/have existed.

Circuit Court of Marion County is without merit for a number of reasons, including the fact that Lea's suit was before the Municipal Court of Marion County and not the Circuit Court of Marion County.*4a

As the district court pointed out, there is not a cognizable claim against any of the attorneys or the credit union. None of those defendants were acting under color of state law.*5a Therefore, an action does not lie under 42 U.S.C. 1983. Plaintiff's claims also fail to state a cause under 42 U.S.C. 1985(86) because there is no allegation of racial or other class-based animus.*6a See Griffin vs. Breckenridge, 403 U.S.88 (1971). (No hearing) AFFIRMED.

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*4a. Plaintiffs originally filed suit erroneously naming the Circuit Court instead of the Municipal Court. Plaintiffs filed motion(s) to correct the obvious "harmless" errors (but were denied?), but the Seventh Circuit insisted in picking up the argument of counsel, that Mr. Lea "didn't know who he was suing", Petitioners apologize, they KNOW.

*5a. Mr. Lea's FIRST (and only attempted) defense against the malicious suit of the RCA-CU attorneys was a JURISDICTIONAL one concerning U.S.C. 1666, I.C. 24-4.5-1-302, U.S.C. 1355, wrong VENUE, and because M183-1218 was filed "under color of state law", it claimed a "note"; THERE WAS NEVER SUCH.

*6a. Mr. Lea is a victim of class-based animus by defendants; he is not of the Bar. In four+ years he has been unable to obtain a trial, or, appeal.

Opinion and Entry of District Court Below

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

LEA ENTERPRISES & ASSOCIATES, JEFFREY GUY LEA, Plaintiffs,	)	
vs.	)	CAUSE NO. IP85-1304C
JUDGE JOSEPH N. MYERS, et al., MARION COUNTY MUNICIPAL COURT, Defendants.	)	(Judge S. Hugh Dillin was assigned to case)

DECIDED: January 24, 1986*1a

ENTRY

For the following reasons, the motion of Judge Joseph N. Myers for summary judgement; the motion of Bernard J. Gohmann, Jr., to dismiss*2a; the motion of the Circuit Court*3a of Marion County for summary judgement; and the motion of J. Gregory Garrison, Christopher L. Garrison, Michael A. Kiefer, Garrison & Kiefer, Attorneys, and RCA Employees Credit Union to dismiss, must all be granted. Consequently, all other pending motions are rendered moot.

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*1a. From court record. Judgement was supposedly rendered Jan.9, 1986 and "remailed" on Jan. 27, 1986?
*2a. Originally, Defendant Mr. Gohmann, Jr. filed a ANSWER to complaint claiming "collateral estoppel".
*3a. Summons served upon MUNICIPAL Presiding Judge.

Memorandum of Opinion

On August 2, 1983, defendant RCA Employees Credit Union, by counsel, defendants Michael A. Kiefer and J. Gregory Garrison of defendant Garrison & Kiefer Attorneys, filed a lawsuit against Jeffrey Guy Lea, plaintiff herein. The case was assigned to the Municipal Court of Marion County, Room No. 1, defendant Judge Joseph N. Myers, presiding. The case arose out of a debt*4a and involved a sum less than $15,000.00. Mr. Lea appeared in person*5a in these proceedings.

On November 3, 1983, the matter was scheduled for a court trial on November 23, 1983. On November 9, 1983 Mr. Lea filed a motion for continuance of trial, which was overruled on November 15, 1983.*6a Mr. Lea failed to appear at the trial, and he was defaulted. Evidence was

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*4a. This was never LEGALLY established, see 15 USC. 1666 (I.C. 24-4.5-1-302) and State v. Ducey "debt". What had been established was BANK FRAUD by RCA-CU.

*5a. Mr. Lea SPECIALLY APPEARED in propria persona.

*6a. Judge Dillin seeks to verify story promulgated by numerous counsel of defendants. He LEAVES OUT that Mr. Lea filed another motion for continuance of trial sending such via certified mail, such received November 21, 1983. Also timely filed were a supporting affidavit, & motion to strike testimony.

submitted and heard with judgement being entered for plaintiff in sum of $2,719.53 principal, plus interest in the sum of $395.94, plus attorney's fees in the sum of $1,100.00, plus costs.*7a

After proceedings supplemental were scheduled in Municipal Court No. 1, Mr. Lea failed to appear, and a body attachment issued. On September 17, 1984, Mr. Lea appeared in court on the body attachment. He was found in direct contempt of court and was ordered to jail for two days if he failed to pay a fine of $300.00 before 6:00 p.m. that day. The fine was paid, and (he) was ordered released.*8a

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*7a. Mr. Lea doesn't know how a matter can be Constitutionally resolved if a trial is held on the day before Thanksgiving, 1983, when Defendant is required to be out of Indianapolis (per affidavit) while he awaits rulings on his motions timely made. Judge Dillin apparently choses to disregard the evidence Mr. Lea entered clearly VERIFYING that there NEVER was a trial OR hearing at Municipal No. 1, certainly not on November 23, 1983. FRAUD?

*8a. PURE FICTION. Check the Municipal record. When Mr. Lea was "thrown into jail" and his wife forced to pay $300.00, he DID NOT "appear..on attachment" though such was issued to defame him and to disallow his appeal of the cause. Motion for supplemental proceedure was filed <u>in March</u> just after Mr. Lea was, IN MARCH 1984, retroactively "defaulted", and NEVER ruled upon because Mr. Lea wanted relief. The transcript of Sept. 17, 1984 is enlightening; Mr. Lea "appeared" with a letter for judge Myers.

On October 13, 1984, the plaintiffs herein sued Judge Myers in the Marion County Small Claims Court, Center Township Division. Mr. Lea failed to appear at a hearing scheduled in that matter, and the action was dismissed pursuant to local rule.*9a

The plaintiffs filed their "Complaint For Monetary Damages (sic) For A Conspiracy To Defraud A U. S. Citizen In Indiana State Court Depriving Him Legal Process Per His Constitutional and Civil Rights (42 USC 1983,1985 & 1986)" in this court on September 4, 1985.

Judge Myers clearly had jurisdiction over the proceedings in the Municipal Court of Marion County which generally

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*9a. Plaintiffs filed suit against Judge Myers because he and above defendants were proceeding with garnishment without any lawful judgement, and sent Mr. Lea to jail because he was defending himself. In Small Claims Cause CE84-4406, Mr. Lea asked for his one allowed continuace until court records of M183-1218 were sent him. In November the filing fees from case were returned to Mr. Lea in check from Merchants Bank (affiliate of RCA-CU). But Mr. Lea returned fees and (now case CE84-5076) was set for trial on January 8, 1985. Again Mr. Lea timely filed motion for continuance as above with fee return. No ruling by the small claims judge was ever made? The phrase "failed to appear" is used by defendants throughout their fictional stories. Mr. Lea NEVER FAILED TO APPEAR ANYWHERE at ANY TIME, yet he DID appropriately SPECIALLY/legally appear everywhere? If the records are still accurate, such will agree.

give rise to this suit.*10a Indiana Code 33-6-1-2 (a)(1) (Supp 1985). He is immune from suit by virtue of the doctrine of judicial immunity. See, e.g. Stump V. Sparkman, 435 U.S. 349 (1978). He is therefore entitled to summary judgement. Because this action can only be characterized as frivolous, unreasonable, and groundless, we find that Judge Myers' motion for reasonable attorney's fees to be allowed as part of his costs of this action should be granted. See 42 U.S.C. 1988 (1981); Owen v. Vaughn, 479 N. E.2d 83, 87-88 (Ind.Ct.App. 1985).*11a

Plaintiffs' complaint must also be dismissed as to defendant Gohmann. There is no allegation that Mr. Gohmann, through a ministerial commission or omission, neglected his duty, or exceeded his authority, as Marion County Clerk. The Plaintiffs fail to state a claim upon which relief can be granted when their claim is based simply on a court

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*10a. Plaintiffs vehemently disagree with this ASSUMPTION. In that the suit was not based upon any "unlawful" act, or torts to such, by Mr. Lea, and in that Mr. Lea did not have a chance to challenge the matter in trial/hearing, such is unreasonable.

*11a. Again this conclusion is unreasonable. This case in no way resembles any other case as those referenced. Mr. Lea believes that HE had IMMUNITY, see 15 U.S.C. 1666 with 28 U.S.C. 1355: case law.

clerk's performance of his duty, under Ind. Code 33-17-2-1 (d), to enter a judgement of the court.*12a In rebus manifestis, errat qui autoritates legum allegat; quia perspicua vera non sunt probanda.

It is undisputed that the proceedings which give rise to this action occurred in the Municipal Court of Marion County. Therefore, plaintiffs' complaint as to the Circuit Court of Marion County, which has been in no way involved in this case, must be dismissed.*13a

The complaint will also be dismissed as to the remaining defendants: J. Gregory Garrison (interjected: a deputy prosecutor in Marion County), Christopher J. Garrison, Michael A. Kiefer, Garrison & Kiefer, Attorneys; and the RCA Employees Credit Union. There is no cognizable (U.S.C.) 1983 claim because none of these defendants can be said to have been acting under color of state law.*14a

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*12a. Mr. Gohmann DID NOT enter the supposed default judgement. One other allegation concerning Gohmann include the dispensing of moneys meant FOR APPEAL.

*13a. Here the District Court makes a number of errs. Summons was served on the Municipal Presiding Judge. Also, in Indiana, the Small Claims courts obtain their jurisdiction from the Indiana CIRCUIT Courts.

*14a. Basis of federal suit DIRECTLY attacks argument.

Given the complete absence of any allegation of racial or other class based, invidiously discriminatory animus behind the alledged conspiratory actions by these defendants, the plaintiffs have failed to state a claim under (USC.) 1985, or its sister statute, (U.S.C.) 1986.*15a See Griffin vs. Breckenridge, 403 U.S.88, 102 (1971). Nor can this suit be construed as one for malicious prosecution, given that the underlying proceedings did not terminate in plaintiffs' favor (an essential malicious prosecution element). See, e. g., Aluminum Co. of America v. City of Lafayette, 412 N.E.2d 312,314 (Ind.Ct.App.1980). More than anything else, this lawsuit seems to be a completely inappropriate attempt by Mr. Lea to appeal a state court decision, which he apparently failed to appeal in a timely manner to the appropriate state court.*16a

For all of the foregoing reasons, the plaintiffs' complaint will be dismissed.

Dated this 9th day of January 1986. (*Re-mailed 1-27)

/s/ S. Hugh Dillin, Judge

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*15a. Mr. Lea is clearly victim of invidious animus.

*16a. There is/was never lawful basis for alledged default judgement based upon a fraudulent charge. Mr. Lea wants a TRIAL to "set ALL records straight"; given valid judgement and opportunity, he'd APPEAL.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

LEA ENTERPRISES & ASSOCIATES and JEFFREY GUY LEA,	)	
Plaintiffs,	)	
v.	)	Cause No. IP85-1304C
JUDGE JOSEPH N. MYERS, et al.,	)	
Defendants.	)	

MOTION FOR PRE-TRIAL CONFERENCE

Defendant, Judge Joseph N. Myers, by counsel, and pursuant to Rule 16 Federal Rules of Civil Procedure hereby moves the Court to schedule this matter for a pre-trial conference.

John J. Sullivan
Attorney for Judge Joseph N. Myers

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Jeffrey Guy Lea and LEA Enterprises & Associates, P.O. Box 19, Fishers, Indiana 46038; M. Kent Newton, Suite 1500, One Indiana Square, Indianapolis, Indiana 46204; Robert D. MacGill at Bingham, Summers, Welsh & Spilman, 2700 Indiana National Bank Tower, Indianapolis, Indiana 46204; and Stephen E. Schrumpf, City-County Legal Division, 1601 City-County Building, Indianapolis, Indiana 46204 by United States mail, postage

9/4/85		Complaint files. Summons issued. Cover sheet filed. Notice of consent to trial by Magistrate issued.
9/10/85		Court Process Server - summons and complaint served on RCA Employees Credit Union by cert. mail on 9/9/85. Servd on Garrison & Kiefer by cert. mail on 9/6/85. Served on Michael A. Kiefer by cert. mail on 9/6/85. Served on Christopher Garrison by cert. mail on 9/6/85. Served on J. Gregory Garrison by cert. mail on 9/6/85. Marion County Circuit Courts by cert. mail on 9/6/85. Bernard J. Gohmann, Jr. by cert. mail on 9/6/85. Judge Joseph N. Myers cert. mail on 9/6/85.
9/24/85		Appearance entered by Stephen E. Schrumpf, Attorney for Bernard J. Gohmann, Jr.,
9/24/85		Motion to enlarge time filed by defendant, Bernard J. Gohmann, Jr., c/s
9/25/85		Defendant files: 1) Appearance entered by M. Kent Newton and Janet C. Knapp, Attorneys 2) Moton to dismiss, c/s 3) Brief in support of motion to dismiss, c/s
9/26/85		Defendant, Judge Joseph N. Myers files: 1) Appearance entered by John J. Sullivan, Attorney 2) Motion for Summary Judgment, c/s 3) Memorandum in support of motion for summary judgment, c/s 4) Motion for enlargement of time to move or otherwise respond to plaintiffs' complaint, c/s
9/26/85		Court grants defendant Bernard Gohmann, Jr.'s motion for extension of itme to respond to complaint. cm
9/30/85		Defendant files Motion for enlargement of time to respond to plaintiffs' complaint, c/s
10/2/85		Plaintiff files: 1) Motion for order to compel discovery and inspection, c/s 2) Statement of genuine issues of above entitled cause. 3) Motion for the jury to have copies of the constitutions of the United States of America, and that of INdiana, and the tiral rules of both and disciplinary rules of the Indiana Supreme Court during trial and deliberations,c/s 4) Plaintiff's answer brief in opposition to defendant Judgme Joseph N. Myers, motion for summary judgment and response to other defendants' motion for dismissal.
10/2/85		Court Grants defendant Circuit Court of Marion County's motion for extension of time to respond to complaint. c/m
10/7/85		Motion for enlargement of time to respond to interrogatories, c/s.
10/8/85		Court grants defendant Garrisons, Kiefer and RCA Employees Credit Union's motion for extension of time to respond to interrogatories. Answers due 30 days after ruling on motion to dismiss. cm.
10/8/85		Reply Brief in support of motoin to dismiss, c/s
10/10/85		Motion to propose removal of cause No. MI83-1218, CE84-4406, and CE84-5076 to above U. S. Court.
10/10/85		Affidavit in support plaintiffs' causes; that this cause was not taken to appeal cause No. MI83-1218.
10/15/85		Response to affidavit of plaintiff, Jeffrey Gut Lea,cs/
10/15/85		Memorandum in opposition to Motion to propose removal, c/s

PLAINTIFF	DEFENDANT	DOCKET NO
LEA ENTERPRISES & ASSOCIATES,	MYERS, JUDGE JOSEPH N. et al.	IP 85-1304-C

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DATE	NR.	PROCEEDINGS
10/15/85		Response of Judge Joseph N. Myers to plaintiff's answer brief in opposition to motion for summary jdugment, c/s
10/17/85		Motion for summary judgment in favor of plaintiffs' Lea Enterprises & Associates and Jeffrey Guy Lea, c/s
10/17/85		Brief in support of motion for summary judgment and propsoed conclusions of law, c/s
10/21/85		Defendants J. Gregory Garrison, Christopher Garrison, Kiefer, Garrison and Kiefer Attorneys and RCA Employees Credit Union file motion for enlargement of time to respond to motion for summary judgment, c/s. Defendant Judge Myes files motion to strike plaintiffs' pleadings entitled "motion for summary judgment in favor of plaintiffs", c/s.
10/22/85		Motion to strike defendant's Joseph N. Myers, Motion to strike pleadings and Motion for immediate rulings on all pleadings of above entitled cause, c/s
10/24/85		Court grants defendants Garrison, Kiefer, Garrisoin & Kiefer and RCA Employess Credit Union's motion for extension of time to respond to motion for summary judgmetn. cm
10/24/85		Defendant files: 1) Answer of defendant Bernard J.Gohmann,Jr., c/s 2) Motion for extension of time to respond to plaintiffs' Motion for Summary Judgment, cs/'
10/25/85		Court grants defendant Gohmann's motion for extension of time to rspond to plaitniffs motion for summary judgment.cm
10/29/85		Motion for leave to withdraw appearance of counse, Richard H. Riegner, Attorney for defendant, Judge Joseph N. Myers, c/s
10/29/85		Appearance entered by John J. Sullivan, Attorney on behalf of Judge Joseph N. Myers, c/s
10/30/85		Court grants Richard H. Riegner's motion to withdraw his appearance for defendant Myers. cm
10/30/85		Defendant, Marion County Circuit Court files: 1) Motion for Summary Judgment filed by Circuit Court of Marion County,c/s 2) Memorandum of law in support of the Circuit Court of Marion County's Motion for Summary Judgment, c/s 3) Tender of proposed findings of fact conclusions of law and summary judgment, c/s
11/6/85		Opposition Brief to support plaintiffs' complaint and motion for summary judgment in response to defendant's Bernard J. Gohman, Jr., Answer to plaintiffs' complaint,c/s
12/2/85		Defendant Bernard J. Gohmann, Jr. motion to dismiss filed,c/s.
12/3/85		Plaintiffs file motion to strike "Default Judgment" and insert instead "Alledged Default Judgement". c/s

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ___ OF ___ PAGES

DATE	NR.	PROCEEDINGS
1/6/86		Affidavit of Plaintiffs, showing failure of Defendants to defend the cause against them and stating that, to Plaintiffs' knowledge, no Defendant can claim military service as a defense for the requested default judgment. c/s
1/9/86		Response to affidavit of plaintiffs, showing failure of defendants to defend the cause against them and stating that, to plaintiffs' knowlege no defendant can claim military service as a defense for the requested default judgment date January 6, 1986 filed by defendantsJ. Garrison, C. Garrision,,M. Kiefer Garrison & Kiefer and RCA Employees Credit Union,c/s.
1/9/86		Court files entry granting defendants motion to dismiss and for summary judgment. Court also grants defendant Meyers' motion for attorney fees. Said defendant to submit itemized bill within 30 days. Court enters judgment that plaintiff take nothing by his complaint and complaint is dismissed. Case Closed. cm GR. Vol. 32. P 29
1/17/86		Defendant Judge Joseph N. Myers files motion for pre-trial conference. c/s Response of Defendant Judge Joseph N. Myers to affidavit of Plaintiffs, showing failure of Defendants to defend the cause against them and stating that, to Plaintiffs' knowledge, no Defendant can claim military service as a defense for the requested default judgment filed. c/s
1/21/86		Plaintiffs file reply brief to support summary judgment upon pleadings, c/s.
1/24/86		Re-mailed copies to all parties of the judgment and entry that closed this action on Jan. 9, 1986. cm
1/29/86		Plaintiffs file motion to reconsider plaintiffs' motion for summary judgment against defendants. Plaintiffs file motion to correct errors in "oppressive dismissal" and stay of execution pending appeal of any judgment, c/s.
1/30/86		Verified petition for approval of attorney's fees filed by petitioner John J. Sullivan,c/s.
2/3/86		Court denies plaintiff's motion to correct errors, for stay of execution pending appeal and motion to reconsider plaintiff's motion for summary judgment. cm
2/3/86		Defendants J. Gregory Garrison, Christopher Garrison, Michael Kiefer, Garrison & Kiefer, Attorneys and RCA Employees Credit Union file response to motion to reconsider plaintiffs' motion for summary judgment against defendants and to motion to correct errors in "oppressive dismissal" and stay of execution pending appeal of any judgment, c/s.

AINTIFF	DEFENDANT	DOCKET NO. IP85-1304-C
A ENTERPRISES & ASSOC.	MYERS, JUDGE JOSEPH N. et al	PAGE ___ OF ___ PAGES

DATE	NR.	PROCEEDINGS
6/86		Plaintiffs file notice of appeal to the United States Court of Appeasl for the Seventh Circuit from the judgment of January 9, 1986. Copy of the notice sent to the court reporter and the attorneys of record. Copy of the notice, information sheet, docket entries and judgment sent to the court of appeals. Filing fees paid. Plaintiffs file designation of records for appeal. Plaintiffs file motion for stay of execution of judgment pending appeal and trial of cause.

28 § 1355 DISTRICT COURTS; JURISDICTION

The district courts shall have original jurisdiction, exclusive of the courts of the States, of any action or proceeding for the recovery or enforcement of any fine, penalty, or forfeiture, pecuniary or otherwise, incurred under any Act of Congress.

June 25, 1948, c. 646, 62 Stat. 934.

15 § 1666 CONSUMER CREDIT

Correction of billing errors

Written notice by obligor to creditor; time for and contents of notice; procedure upon receipt of notice by creditor

(a) If a creditor, within sixty days after having transmitted to an obligor a statement of the obligor's account in connection with an extension of consumer credit, receives at the address disclosed under section 1637(b)(10) of this title a written notice (other than notice on a payment stub or other payment medium supplied by the creditor if the creditor so stipulates with the disclosure required under section 1637(a)(7) of this title) from the obligor in which the obligor—

(1) sets forth or otherwise enables the creditor to identify the name and account number (if any) of the obligor,

(2) indicates the obligor's belief that the statement contains a billing error and the amount of such billing error, and

(3) sets forth the reasons for the obligor's belief (to the extent applicable) that the statement contains a billing error,

the creditor shall, unless the obligor has, after giving such written notice and before the expiration of the time limits herein specified, agreed that the statement was correct—

(A) not later than thirty days after the receipt of the notice, send a written acknowledgement thereof to the obligor, unless the action required in subparagraph (B) is taken within such thirty-day period, and

(B) not later than two complete billing cycles of the creditor (in no event later than ninety days) after the receipt of the notice and prior to taking any action to collect the amount, or any part thereof, indicated by the obligor under paragraph (2) either—

(i) make appropriate corrections in the account of the obligor, including the crediting of any finance charges on amounts erroneously billed, and transmit to the obligor a notification of such corrections and the creditor's explanation of any change in the amount indicated by the obligor under paragraph (2) and, if any such change is made and the obligor so requests, copies of documentary evidence of the obligor's indebtedness; or

(ii) send a written explanation or clarification to the obligor, after having conducted an investigation, setting forth to the extent applicable the reasons why the creditor believes the account of the obligor was correctly shown in the statement and, upon request of the obligor, provide copies of documentary evidence of the obligor's indebtedness. In the case of a billing error where the obligor alleges that the creditor's billing statement reflects goods not delivered to the obligor or his designee in accordance with the agreement made at the time of the transaction, a creditor may not construe such amount to be correctly shown unless he determines that such goods were actually delivered, mailed, or otherwise sent to the obligor and provides the obligor with a statement of such determination.

After complying with the provisions of this subsection with respect to an alleged billing error, a creditor has no further responsibility under this section if the obligor continues to make substantially the same allegation with respect to such error.

Billing error

(b) For the purpose of this section, a "billing error" consists of any of the following:

(1) A reflection on a statement of an extension of credit which was not made to the obligor or, if made, was not in the amount reflected on such statement.

(2) A reflection on a statement of an extension of credit for which the obligor requests additional clarification including documentary evidence thereof.

(3) A reflection on a statement of goods or services not accepted by the obligor or his designee or not delivered to the obligor or his designee in accordance with the agreement made at the time of a transaction.

(4) The creditor's failure to reflect properly on a statement a payment made by the obligor or a credit issued to the obligor.

(5) A computation error or similar error of an accounting nature of the creditor on a statement.

(6) Failure to transmit the statement required under section 1637(b) of this title to the last address of the obligor which has been disclosed to the creditor, unless that address was furnished less than twenty days before the end of the billing cycle for which the statement is required.

(7) Any other error described in regulations of the Board.

Action by creditor to collect amount or any part thereof regarded by obligor to be a billing error

(c) For the purposes of this section, "action to collect the amount, or any part thereof, indicated by an obligor under paragraph (2)" does not include the sending of statements of account, which may include finance charges on amounts in dispute, to the obligor following written notice from the obligor as specified under subsection (a) of this section, if—

(1) the obligor's account is not restricted or closed because of the failure of the obligor to pay the amount indicated under paragraph (2) of subsection (a) of this section, and

(2) the creditor indicates the payment of such amount is not required pending the creditor's compliance with this section.

Nothing in this section shall be construed to prohibit any action by a creditor to collect any amount which has not been indicated by the obligor to contain a billing error.

Restricting or closing by creditor of account regarded by obligor to contain a billing error

(d) Pursuant to regulations of the Board, a creditor operating an open end consumer credit plan may not, prior to the sending of the written explanation or clarification required under paragraph (B)(ii), restrict or close an account with respect to which the obligor has indicated pursuant to subsection (a) of this section that he believes such account to contain a billing error solely because of the obligor's failure to pay the amount indicated to be in error. Nothing in this subsection shall be deemed to prohibit a creditor from applying against the credit limit on the obligor's account the amount indicated to be in error.

Effect of noncompliance with requirements by creditor

(e) Any creditor who fails to comply with the requirements of this section or section 1666a of this title forfeits any right to collect from the obligor the amount indicated by the obligor under paragraph (2) of subsection (a) of this section, and any finance charges thereon, except that the amount required to be forfeited under this subsection may not exceed $50.

(Pub.L. 90–321, Title I, § 161, as added Pub.L. 93–495, Title III, § 306, Oct. 28, 1974, 88 Stat. 1512, and amended Pub.L. 96–221, Title VI, §§ 613(g), 620, Mar. 31, 1980, 94 Stat. 177, 184.)

§ 1983. Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

R.S. § 1979; Pub.L. 96–170, § 1, Dec. 29, 1979, 93 Stat. 1284.

§ 1985. Conspiracy to interfere with civil rights

Preventing officer from performing duties

(1) If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

Obstructing justice; intimidating party, witness, or juror

(2) If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

Depriving persons of rights or privileges

(3) If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

R.S. § 1980.

§ 1986. Action for neglect to prevent

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding $5,000 damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.

R.S. § 1981.

THE BILL OF RIGHTS TO THE CONSTITUTION OF THE UNITED STATES
(Ratified in 1791)

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the persons or things to be seized.

Amendment V

No person shall.....be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

...the accused shall enjoy the right to...trial..of the State and district wherein the committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of counsel for his defense.

Amendment VII

In suits....where the value in the controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and.....

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People.

Amendment XIV
(Ratified in 1868)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction therof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

ARTICLE VI OF THE CONSTITUTION

Section 2. This Constitution, and the Laws of the United States which shall be made in the Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Section 3. The...judicial Officers, both of the United States, and of the several States, shall be bound by Oath or Affirmation, to support this Constitution.....

Rule 12 RULES OF TRIAL PROCEDURE

INDIANA

Trial Rule 12

DEFENSES AND OBJECTIONS—WHEN AND HOW PRESENTED —BY PLEADING OR MOTION—MOTION FOR JUDGMENT ON THE PLEADINGS

(A) When presented. The time allowed for the presentation of defenses and objections in a motion or responsive pleading shall be computed pursuant to the provisions of Rule 6(C).

(B) How presented. Every defense, in law or fact, to a claim for relief in any pleading, whether a claim, counterclaim, cross-claim, or third-party claim, shall be asserted in the responsive pleading thereto if one is required; except that at the option of the pleader, the following defenses may be made by motion:

(1) Lack of jurisdiction over the subject-matter,

(2) Lack of jurisdiction over the person,

(3) Improper venue,

(4) Insufficiency of process,

(5) Insufficiency of service of process,

(6) Failure to state a claim upon which relief can be granted, which shall include failure to name the real party in interest under Rule 17,

(7) Failure to join a party needed for just adjudication under Rule 19,

(8) The same action pending in another state court of this state. A motion making any of these defenses shall be made before pleading if a further pleading is permitted or within twenty [20] days after service of the prior pleading if none is required. No defense or objection is waived by being joined with one or more other defenses or objections in a responsive pleading or motion. If a pleading sets forth a claim for relief to which the adverse party is not required to serve a responsive pleading, he may assert at trial any defense in law or fact to that claim for relief.

When a motion to dismiss is sustained for failure to state a claim under subdivision (B)(6) of this rule the pleading may be amended once as of right pursuant to Rule 15(A) within ten [10] days after service of notice of the court's order sustaining the motion and thereafter with permission of the court pursuant to such rule.

If, on a motion, asserting the defense number (6), to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary

judgment and disposed of as provided in Rule 56. In such case, all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.

(C) Motion for judgment on the pleadings. After the pleadings are closed but within such time as not to delay the trial, any party may move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56, and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.

(D) Preliminary determination. Whether made in a pleading or by motion, the defenses specifically enumerated (1) to (8) in subdivision (B) of this rule, and the motion for judgment on the pleadings mentioned in subdivision (C) of this rule shall, upon application of any party or by order of court, be determined before trial unless substantial justice requires the court to defer hearing until trial.

(E) Motion for more definite statement. If a pleading to which a responsive pleading is permitted is so vague or ambiguous that a party cannot reasonably be required to frame a responsive pleading, he may move for a more definite statement before interposing his responsive pleading. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the court is not obeyed within twenty [20] days after notice of the order or within such other time as the court may fix, the court may strike the pleading to which the motion was directed or make such order as it deems just.

(F) Motion to strike. Upon motion made by a party before responding to a pleading, or, if no responsive pleading is permitted by these rules, upon motion made by a party within twenty [20] days after the service of the pleading upon him or at any time upon the court's own initiative, the court may order stricken from any pleading any insufficient claim or defense or any redundant, immaterial, impertinent, or scandalous matter.

(G) Consolidation of defenses in motion. A party who makes a motion under this rule may join with it any other motions herein provided for and then available to him. If a party makes a motion under this rule but omits therefrom any defense or objection then available to him which this rule permits to be raised by motion, he shall not thereafter make a motion based on the defense or objection so omitted. He may, however, make such motions as are allowed under subdivision (H) (2) of this rule.

RECORD OF CAUSE M183-1218 THRU SEPT 1984

8/2/83 Complaint filed; summons given to Marion County Sheriff for service upon Mr. Lea in Hamilton Co.

8/4/83 Complaint and summons received by Hamilton County Sheriff department.

8/25/83* Complaint and summons received by Mr. Lea in the regular U.S. mail from Sheriff, Hamilton County.
*Note summons served several days late on Mr. Lea.

8/30/83 Mr. Lea, via certified mail, files four motions, one indicating IMPROPER SERVICE, one indicating DISMISSAL according to Indiana Trial Rule 12B(6), one indicating IMPROPER VENUE, and one indicating COMPEL DISCOVERY. The motions were sent in letter stating SPECIAL APPEARANCE including Affidavits, and attached were voluminous factual Exhibits. A last motion was for extention to prepare defense.

9/12/83 Motions scheduled for hearing on October 21, 1983.

9/28/83 Mr. Lea opens discovery; cert. letter to RCA-ECU.

10/14/83 Garrison & Kiefer respond to Mr. Lea's motions of dismissal, but IGNORE Mr. Lea's discovery demands.

10/17/83 Mr. Lea files FORMAL Motion to Compel Discovery, and sends additional Exhibits to court certified.

10/21/83 Mr. Lea PERSONALLY attends scheduled hearing; he serves Interrogatories upon counsel at court. Because of a jury trial, hearing is held at office counter and is unrecorded (J.Myers was hour late)? Bewildered at J.N. Myer's simple verbal overruling of Mr. Lea's motions, some not read, Mr. Lea prepares further Interrogatories, served certified.

11/3/83 Judge Myers schedules trial for November 23, 1983.

11/7/83 Mr.Lea files motion of continuance until Mr.Lea's discovery items/inspections are completed; and another motion to COMPEL DISCOVERY (and admissions); motion to reconsider previous motions to dismiss.

11/15/83 Judge Myers overrules ALL Mr. Lea's motions, for continuance, to compel discovery, and reconsider.

11/16/83 Counsel for RCA-ECU file some "answers" to Mr. Lea basically NOT ANSWERING the questions and interjecting scandalous and erroneous information.

11/19/83 Mr. Lea receives BOTH of the above in US mail together? Mr. Lea files via certified letter #P514-250-077 to Municipal No.1 motions for CONTINUANCE, and again to COMPEL DISCOVERY, and to STRIKE some (all) of the outrageous "answers" of the RCA-ECU.

11/21/83 Mr. Lea PERSONALLY files another AFFIDAVIT with assistant clerk, Ms. Harville, of Municipal No.1 and Mr. Lea PERSONALLY sees that above motions were all properly filed together at court. Copies to counsel. (Mr. Lea leaves town to spend Thanksgiving with his family OUT OF INDIANAPOLIS AREA. Mr. Lea returns, checks, no rulings on motions.)

1/8/84 Mr. Lea specially prepares in depth Interrogatories serving both counsel and sending, via first class mail, copies to Municipal No.1.

2/8/84 Mr. Lea sends certified letter to counsel of RCA-CU requesting SETTLEMENT of cause M183-1218.

2/28/84 Mr. Lea files via certified letter motions to compel discovery, and motion to reconsider dismissal.

3/19/84 Mr. Lea files request for rulings of above motions.

- - - - - - - NOTE: NO JUDGEMENT - - - - - - - -

3/19/84 Mr. Lea, upon checking his post office box finds postcard from Judge Myers indicating that the a-motions to reconsider and compel discovery are overruled because Mr. Lea was "failed to appear" (was UNABLE to attend) scheduled trial, and that he (retroactively) had "judgement by default entered".

3/20/84 Mr. Lea files, via certified letter a motion to corect error, and a motion to COMPEL discovery. (Mr. Lea knew that the judgement was FRAUDULENT)

/28/84 Mr. Lea receives certified letter from Mr. Bernard Gohmann, Jr., Clerk of Marion Circuit Courts (No. 66-745) with a "Motion for Supplimentary Proeedure and "Order to Answer Interrogatories" JUST filed by counsel of the RCA-ECU. (Addressed to Mr. LEE)

/29/84 Mr. Lea files with court, certified letter specifically to Mr. Gohmann PERSONALLY, another SET of motions to correct error(s), motion to reconsider, motion for CHANGE OF JUDGE/REQUEST FOR MASTER, and motion for relief from court order (due to errors). Also, Mr. Lea files motion for dismissal-judgement against Plaintiffs and for Defendant (Mr. Lea).

4/3/84 Bailiff, Sommers, sends Mr. Lea note indicating "that your Motion To Correct Errors was not timely filed and, therefore, cannot be considered by the Court pursuant to Trial Rule 59." (60 day limit?)

4/5/84 Mr. Lea files "Motion For Relief From Judgement" stating that there could NOT have been a "default judgement" because NO RULING made on 11-21 motions. Also filed another motion for relief of court order, motion for change of venue by judge, two (2) motions (re-filing one) to correct error, motion to compel discovery, request for rulings, and 3 more Exhibits to add to those previously filed.

4/9/84 Mr. Lea files "Motion To PUBLISH" and indicated the list of motions sent cert. on April 5, 1984.

4/9/84 Uudge Myers sends belated ruling concerning the Bailiff's RULING per his letter of April 3, 1984.

4/12/84 Mr. Lea AGAIN files by certified letter his motion for dismissal-and judgement in his favor on cause.

4/16/84 Mr. Myers calls hearing for June 18, 1984 to "set aside default" (which never occured?).

4/25/84 Mr. Lea RE-FILES Interrogatories, copy to court.

5/7/84 Mr. Lea again requests counsel of RCA-CU to settle.

5/11/84 Order To Answer Interrogatories is signed by Judge Myers, and sent to GARNISHEE Defendant Ritron, Inc. claiming that Mr. Lea, was a Judgement Defendant? Such was supposedly set for a hearing on June 1.

5/24/84 Mr. Lea, having been called into his Client's President's office about matter, tried to explain.

5/25/84 Mr. Lea sends PETITION to Municipal 1 requesting a apology and saying that court should grant Mr. Lea HIS requested ORDER to answer his Discovery, et al.

5/31/84 Mr. Lea was informed by Ritron that since he was NOT an employee, THEY wanted NO part of the law-suit of Mr. Lea and the RCA-CU. Mr. Lea was told to NOT return until the matter was finally over. So Mr. Lea filed an EMERGENCY PETITION, sending such to BOTH Municipal No.1 AND to personally Mr. Gohmann, Clerk indicating that HE, Clerk had NOT registered a "failure to file pleadings", and of course, BEGGING court to apologize for its errs.

6/6/84 Judge Myers sends a letter to Mr. Lea indicating that there is a hearing scheduled on June 18, 1984 to hear his motion for relief of judgement, but, and HE CITED Indiana cases about PRO SE Defendants further indicating that Mr. Lea, BECAUSE he was in propria persona he COULD NOT WIN ?! (Dack v. State 457 N.E.2d 600; Potts v. Castillo 460 N.E.2d 996).

6/10/84 Mr. Lea sends certified letter PERSONNALLY to Mr. Gohmann, requesting his office to send a list of properly instated judges in Marion County Indiana.

6/12/84 Mr. Lea sends ANOTHER cert. letter to Mr. Gohmann, and enclosed a "Motion for Mistrial Without Prejudice", and ANOTHER "Motion For Change of Judge".

6/15/84 Mr. Lea, personally files ANOTHER copy of his motions obtaining file-marked receipt. (NO RULINGS).

6/18/84 Mr. Lea, arriving early again for hearing, sees NO recording planned AGAIN; he files motions; departs.

7/11/84 Mr. Lea sends letter to court clerk, Ms. Harville, asking for ALL RULINGS entered on entire record.

7/14/84 Mr. Lea receives ONLY a "Final Order In Garnishment" sent to Ritron again and a ENTRY signed by Myers saying Mr. Lea "failed to appear". In letter and other documents Mr. Lea indicates he REFUSED to attend before the prejudice Mr. Myers, and he respectfully requested a change of venue by judge and another such motion and for mistrial filed. A motion for relief of "judgement"/"order" sought.

7/16/84 Mr. Lea files a motion to correct error so that he can appeal the "judgement" to the Ind. Appeals Ct. Motion to strike the erroneous "failed to appear" was also filed to correct the prejudice entry.

7/16/84 Judge Myers now overrules motion for relief of "judgement" and "court order-<u>like all motions preceeding it</u>"?

7/19/84 Though payment was offered in letter to Ms. Harville (court clerk), Bailiff Brooks now writes that Municipal No.1 refuses to make copies of the record, but invites Mr. Lea to go down to Marion Co.

8/3/84 Mr. Lea sends another request for proper rulings on his motions and notifies Presiding Judge Myers that Mr. Lea had requested a change of judge.

8/13/84 Mr. Lea sends another motion to correct error to just just get ruling so he may appeal "default"?

8/30/84 Mr. Lea sends PRAECIPE (Notice of Appeal/Designation) to the assistant court clerk, Ms. Harville.

8/31/84 She writes back that Mr. Lea must file with Clerk.

9/7/84 Mr.Lea seeks ALL records of Cause M183-1218 AGAIN.

9/11/84 Ms. Harville writes back "I have know idea of what you want copies of", ect.?

9/14/84 Mr. Lea calls to make arrangements to GET RECORDS.

9/17/84 Mr. Lea goes in with letter to Myers and IS ARRESTED,"supplemental proceedure" held? (<u>Mrs. Lea-$300?</u>)